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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/602,800
Filing Date	June 23, 2000
First Named Inventor	David B. AGUS et al.
Group/Art Unit	1642
Examiner Name	Anne L Holleran
Attorney Docket Number	39766-0142A

Total Number of Pages in This Submission: 5 pages

ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form
 - ☐ Fee Attached
- ☐ Amendment / Response
 - ☐ After Final
 - ☐ Version with Markings Showing Changes
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ **Information Disclosure Statement**
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
 - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Request for Corrected Filing Receipt
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ **Additional Enclosure(s)** *(please identify below):*
 - **Return Receipt Postcard**

Remarks: **AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 (ATTORNEY DOCKET NO. 39766-0142A) FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.**

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm *or* Individual name	Ginger R. Dreger, Reg. No. 33,055, HELLER EHRMAN LLP		
Signature			
Date	June 23, 2005	Customer Number:	25213

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David B. AGUS, et al.

Application Serial No. 09/602,800

Filed: June 23, 2000

For: **TREATING PROSTRATE CANCER WITH ANTI-ErbB2 ANTIBODIES**

Examiner: Holleran, Anne L.

Art Unit: 1642

Attorney's Docket No. 39766-0142A

Customer No. 25213

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

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Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each publication other than U.S. patents and U.S. patent application publications, and each cited pending unpublished U.S. application pursuant to 37 C.F.R. §§1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Form Supplemental PTO-1449 is enclosed and the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☐ This statement qualifies under *37 C.F.R. §1.97*, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
 -- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
 -- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits
 -- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

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☒ *37 C.F.R. §1.97(c).* If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☐ a certification as specified in §1.97(e) is provided below; **or**

☒ a fee of **$180.00** as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ *37 C.F.R. §1.97(d).* If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**

C. a fee of $130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of **$180.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39766-0142A.**

Respectfully submitted,

Dated: June 23, 2005

By: _____
Ginger R. Dreger (Reg. No. 33,055)

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Form PTO-1449	Attorney's Docket No. 39766-0142A	Application Serial No. 09/602,800
INFORMATION DISCLOSURE STATEMENT	Applicant(s) David B. AGUS, et al.	
(use several sheets if necessary)	Filing Date: June 23, 2000	Group Art Unit: 1642

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation YES	Translation NO

OTHER DOCUMENTS
(including author, title, date, pertinent pages, etc.)

Examiner Initials	Ref. No.	Title
	1.	Agus et al., "Efficacy and safety of single pertuzumab (rhuMAb 2C4), a HER dimerization inhibitor, in hormone refractory prostate cancer after failure of taxane-based therapy", ASCO Meeting 2005, Abstract #4624, Session: Genitourinary Cancer, Format: General Poster Sessions, American Society of Clinical Oncology
	2.	de Bono et al., "An open label, phase II, multicenter, study to evaluate the efficacy of pertuzumab (P) in chemotherapy na? patients (pts) with Hormone Refractory Prostate Cancer (HRPC)", ASCO Meeting 2005, Abstract #4609, Session: Genitourinary Cancer, Format: General Poster Sessions, American Society of Clinical Oncology

EXAMINER:	DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).